

Adopted	Rejected
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## COMMITTEE REPORT

YES:	12
NO:	0

### MR. SPEAKER:

*Your Committee on Roads and Transportation, to which was referred Senate Bill 401, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 4, after "two" insert "(2)".
- 2 Page 1, line 7, delete "750" and insert "seven hundred fifty (750)".
- 3 Page 2, between lines 23 and 24, begin a new paragraph and insert:
- 4 "SECTION 4. IC 9-13-2-114.6 IS ADDED TO THE INDIANA
- 5 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2002]: **Sec. 114.6. "Off-road vehicle" has the**
- 7 **meaning set forth in IC 14-16-1-3.**".
- 8 Page 3, line 18, delete "does not include" and insert "**includes**".
- 9 Page 3, between lines 18 and 19, begin a new paragraph and insert:
- 10 "SECTION 6. IC 9-17-2-1, AS AMENDED BY P.L.181-1999,
- 11 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2002]: Sec. 1. (a) Within sixty (60) days of becoming an
- 13 Indiana resident, a person must obtain a certificate of title for all
- 14 vehicles owned by the person that:
- 15 (1) are subject to the motor vehicle excise tax under IC 6-6-5; ~~and~~
- 16 (2) **are off-road vehicles and were purchased by the person**

1 after June 30, 2002, or have a certificate of title from another  
2 state;

3 (3) are motor scooters and were purchased by the person after  
4 June 30, 2002, or have a certificate of title from another state;

5 or

6 (4) are motorized bicycles and were purchased by the person  
7 after June 30, 2002, or have a certificate of title from another  
8 state;

9 and will be operated in Indiana.

10 (b) Within sixty (60) days after becoming an Indiana resident, a  
11 person shall obtain a certificate of title for all commercial vehicles  
12 owned by the person that:

13 (1) are subject to the commercial vehicle excise tax under  
14 IC 6-6-5.5;

15 (2) are not subject to proportional registration under the  
16 International Registration Plan; and

17 (3) will be operated in Indiana.

18 (c) A person must produce evidence concerning the date on which  
19 the person became an Indiana resident.

20 SECTION 7. IC 9-17-2-5 IS AMENDED TO READ AS FOLLOWS  
21 [EFFECTIVE JULY 1, 2002]: Sec. 5. If an application for a certificate  
22 of title is for a vehicle brought into Indiana from another state, the  
23 application must be accompanied by:

24 (1) the certificate of title issued for the vehicle by the other state  
25 if the other state has a certificate of title law; or

26 (2) a sworn bill of sale or dealer's invoice fully describing the  
27 vehicle and the most recent registration receipt issued for the  
28 vehicle if the other state does not have a certificate of title law; or

29 (3) any other information that the bureau requires, if the  
30 other state does not have a certificate of title and registration  
31 law.

32 SECTION 8. IC 9-17-2-6 IS AMENDED TO READ AS FOLLOWS  
33 [EFFECTIVE JULY 1, 2002]: Sec. 6. (a) **This section does not apply**  
34 **to a motor vehicle requiring a title under section 1(a)(2), 1(a)(3), or**  
35 **1(a)(4) of this chapter.**

36 (b) A certificate of title issued for a vehicle that is required to be  
37 registered under this title at a declared gross weight of sixteen thousand  
38 (16,000) pounds or less must contain the odometer reading of the

1 vehicle in miles or kilometers as of the date of sale or transfer of the  
2 vehicle.

3 ~~(b)~~ (c) A person may not knowingly furnish to the bureau odometer  
4 information that does not accurately indicate the total recorded miles  
5 or kilometers on the vehicle.

6 ~~(c)~~ (d) The bureau and its license branches are not subject to a  
7 criminal or civil action by a person for an invalid odometer reading on  
8 a certificate of title.

9 SECTION 9. IC 9-17-2-9 IS AMENDED TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2002]: Sec. 9. (a) **This section does not apply**  
11 **to a motor vehicle requiring a title under section 1(a)(2), 1(a)(3), or**  
12 **1(a)(4) of this chapter.**

13 (b) A person applying for a certificate of title must:

- 14 (1) apply for registration of the vehicle described in the
- 15 application for the certificate of title; or
- 16 (2) transfer the current registration of the vehicle owned or
- 17 previously owned by the person.

18 SECTION 10. IC 9-17-2-12 IS AMENDED TO READ AS  
19 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 12. (a) As used in this  
20 section, "dealer" refers to a dealer that has:

- 21 (1) been in business for not less than five (5) years; and
- 22 (2) sold not less than one hundred fifty (150) motor vehicles
- 23 during the preceding year.

24 (b) This section does not apply to the following:

- 25 (1) A new motor vehicle or recreational vehicle sold by a dealer
- 26 licensed by the state.
- 27 (2) A motor vehicle or recreational vehicle transferred or assigned
- 28 on a certificate of title issued by the bureau.
- 29 (3) A motor vehicle that is registered under the International
- 30 Registration Plan.

31 **(4) A motor vehicle requiring a title under section 1(a)(2),**  
32 **1(a)(3), or 1(a)(4) of this chapter.**

33 (c) An application for a certificate of title for a motor vehicle or  
34 recreational vehicle may not be accepted by the bureau unless the  
35 motor vehicle or recreational vehicle has been inspected by one (1) of  
36 the following:

- 37 (1) An employee of a dealer designated by the bureau to perform
- 38 an inspection.

(2) A military policeman assigned to a military post in Indiana.

(3) A police officer.

(4) A designated employee of the bureau.

(d) A person described in subsection (c) inspecting a motor vehicle, semitrailer, or recreational vehicle shall do the following:

(1) Make a record of inspection upon the application form prepared by the bureau.

(2) Verify the facts set out in the application.

SECTION 11. IC 9-17-2-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 13. (a) **This subsection does not apply to an off-road vehicle required to be registered under IC 14-16-1-8.** Except as provided in subsection (b), a person may not operate or permit to be operated upon the highways a motor vehicle, semitrailer, or recreational vehicle under an Indiana registration number unless a certificate of title has been issued under this chapter for the motor vehicle, semitrailer, or recreational vehicle.

(b) A person may operate a motor vehicle, semitrailer, or recreational vehicle upon highways without an Indiana certificate of title if the motor vehicle, semitrailer, or recreational vehicle:

(1) is:

(A) fully titled and registered in another state; and

(B) operating under an Indiana trip permit or temporary registration; or

(2) is registered under apportioned registration of the International Registration Plan and based in a state other than Indiana.

(c) A person who owns a motor vehicle, semitrailer, or recreational vehicle may declare Indiana as the person's base without obtaining an Indiana certificate of title if:

(1) the person's state of residence is not a member of the International Registration Plan; and

(2) the person presents satisfactory proof of ownership from the resident state.

**(d) This subsection does not apply to a motor scooter, a motorized bicycle, or an off-road vehicle purchased before July 1, 2002. A person may not operate or permit to be operated upon the highways:**

**(1) a motor scooter;**

1           **(2) a motorized bicycle; or**  
 2           **(3) an off-road vehicle;**  
 3       **unless a certificate of title has been issued under this chapter for**  
 4       **the motor scooter, motorized bicycle, or off-road vehicle, or unless**  
 5       **the motor scooter, motorized bicycle, or off-road vehicle is titled in**  
 6       **another state.**

7           SECTION 12. IC 9-17-2-17 IS ADDED TO THE INDIANA CODE  
 8       AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 9       1, 2002]: **Sec. 17. A title issued under this chapter does not relieve**  
 10      **an owner of an off-road vehicle from any registration requirement**  
 11      **for the off-road vehicle under IC 14-16-1."**

12          Page 3, delete lines 19 through 34.

13          Page 4, between lines 7 and 8, begin a new paragraph and insert:

14          "SECTION 15. IC 14-16-1-9.5 IS ADDED TO THE INDIANA  
 15       CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 16       [EFFECTIVE JULY 1, 2002]: **Sec. 9.5. Registration under this**  
 17       **chapter does not relieve an owner of an off-road vehicle from any**  
 18       **title requirement for the off-road vehicle under IC 9-17-2."**

19          Page 4, delete lines 8 though 42.

20          Page 5, delete lines 1 through 11.

21          Renumber all SECTIONS consecutively.

(Reference is to SB 401 as reprinted January 29, 2002.)

**and when so amended that said bill do pass.**

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Representative Cook